

Hearing Aid Compatible Telephones
WT Docket No. 01-309
RM-8658

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Tennessee RSA No. 3 Limited Partnership
d/b/a Eloqui Wireless
P.O. Box 31729
Knoxville, TN 37930-1729
Phone: (865) 691-1555
John Miller, CEO

Counsel: Lukas, Nace, Gutierrez & Sachs
Pamela L. Gist, Esq.
1650 Tysons Blvd., Suite 1500
McLean, Virginia 22102
Ph. (703) 584-8665
Email: pgist@fcclaw.com

Tennessee RSA No. 3 Limited Partnership d/b/a Eloqui Wireless (“Eloqui”) seeks to avail itself of the temporary relief granted to TDMA carriers through September 18, 2006, as set forth in *Order on Reconsideration and Further Notice of Proposed Rulemaking*, WT Docket No. 01-309, FCC 05-122, released June 21, 2005, and codified in amended FCC Rule Section 20.19(c)(2)(i). Eloqui is eligible for TDMA relief because it is conducting a complete overbuild of its entire TDMA network and will complete the overbuild by September 18, 2006. Eloqui offers five hearing aid-compatible handset models to customers that receive service from the overbuilt (*i.e.*, CDMA) portion of the network, and Eloqui makes available in each retail store it owns or operates these handset models for consumers to test in the store.

(1) Digital wireless phones tested: Eloqui presently operates a CDMA cellular system, as well as a legacy TDMA and AMPS system. Eloqui acquires wireless telephone handsets manufactured by LG, Kyocera, Nokia and Motorola (collectively, “Vendors”). Eloqui obtains from Motorola two hearing aid compatible (HAC) handsets rated M3 under standard ANSI C63.19-2005 (“Compliant Phones”). Eloqui also obtains

two Compliant Phones from Nokia, and one Compliant Phone from Kyocera. The models tested are Motorola V265 and V710, Nokia 6015i and 6255i, and Kyocera KX1. All operate on the CDMA system. Vendors of TDMA handsets are not offering any Compliant Phones.

(2) Laboratory used: Eloqui does not conduct the laboratory testing of handset devices for compliance with the ANSI C63.19 standard. Eloqui relies upon its Vendors to conduct testing and to confirm the compliance of each specific handset device.

(3) Test results for each phone tested: The Compliant Phones deployed by Eloqui have tested positively for M3 compliance.

(4) Identification of compliant phone models and ratings according to ANSI C63.19: Motorola models V262 and V710, Nokia models 6015i and 6255i, and Kyocera model KX1 are rated M3 under standard ANSI C63.19-2005.

(5) Status of product labeling: Eloqui typically relies upon its Vendors to label all products prior to their shipment to Eloqui's retail locations. The Compliant Phones offered by Eloqui contain M3 product labeling and additional information.

(6) Outreach efforts: Now that Compliant Phones have become available they will be publicly identified for consumers and audiologists. Eloqui's Compliant Phones are listed on Eloqui's web site, and the information is available to consumer groups. Eloqui trains its retail salespeople regarding which of the digital wireless phones offered are Compliant Phones. Written materials, pamphlets and other promotional literature are provided at the point of sale, addressing the needs of individuals with hearing disabilities. Eloqui conducts a consumer education program aimed at reaching hearing aid and cochlear implant users. Consumers are given a 30-day trial period within which to try out the digital wireless phone to determine whether they will work properly with their hearing aids. Flexible exchange and return policies apply to consumers seeking to obtain a Compliant Phone. Toward this end, Eloqui has specifically instructed its sales force to make this policy known to consumers, and to assure that the flexible policy is administered to HAC phone users. Additionally, Eloqui conducts outreach activities toward audiologists and hearing aid dispensers who are in a position to inform hearing aid users in advance concerning the immunity of their hearing aids and the degree of likelihood that they will be able to use particular digital wireless phones and services. Current technical and anecdotal information is made available to the public regarding the hearing aid compatibility of Eloqui's Compliant Phones in the form of handouts from Motorola, Nokia and Kyocera that are distributed at retail centers and in all communications with the hearing disabilities community.

(7) Retail availability of compliant phones: The Compliant Phones offered by Eloqui are presently available in Eloqui's retail outlets.

(8) Incorporation of hearing aid compatibility features into newer models of digital wireless phones: Eloqui is in contact with its Vendors with regard to their

incorporation of HAC features into future CDMA phones. Eloqui is following its Vendors' efforts to provide additional new handsets that will be hearing aid-compatible. Eloqui plans to add to its assortment of Compliant Phones as new models achieve M3 and M3T ratings.

(9) Activities related to ANSI C63.19 or other standards work intended to promote compliance with the FCC Order: Eloqui is aware that its Vendors are undertaking to comply with the FCC's requirements to provide Compliant Phones. Eloqui is ready and willing to offer new or additional compliant devices to interested customers, and will encourage its Vendors to expedite the availability of advanced handset devices, including handsets rated M3T under standard ANSI C63.19-2005.

(10) Number of compliant and non-compliant phone models offered at this time:
Eloqui's core assortment presently includes nine models of cellular CDMA handsets. Five of these are Compliant Phones. No models of cellular TDMA handsets are offered.

(11) Differences in handset offerings among regions in service areas, if any:
There are no differences in handset offerings within Eloqui's service area. Eloqui's handset offerings are presently consistent in all areas of the market.

(12) Ongoing efforts for interoperability testing with hearing aid devices: Eloqui will rely mainly upon its Vendors to conduct interoperability testing of Compliant Phones, and will provide to consumers information about those efforts upon request.